

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Michael Tyo et al. Art Unit : 1633  
Serial No. : 10/758,970 Examiner : Illeana Popa  
Filed : January 16, 2004 Conf. No. : 6224  
Title : CONTINUOUS-FLOW METHOD FOR PREPARING MICROPARTICLES

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final Office Action dated December 26, 2008, finally rejecting claims 1-55.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for 3 month(s) to and including June 26, 2009, is enclosed.

The required fee in the amount of \$270 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 08191-0012002.

Respectfully submitted,

Date: June 18, 2009

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**CERTIFICATE OF MAILING BY EFS-WEB FILING**

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: June 18, 2009